

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<i>In re</i> Application of:	Examiner: Roane, Aaron F.
Inventor: David K. Swanson	Art Unit: 3769
App. No.: 10/727,096	Docket No. 03-0242 (US01)
Filing Date: December 2, 2003	Confirmation No. 6001
Title: SURGICAL METHODS AND APPARATUS FOR STIMULATING TISSUE	

**RESPONSE TO NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Commissioner:

This letter is responsive to the Office Action dated September 29, 2010 (hereinafter “the Office Action”). Claims 7, 10-12, 28-35, 37-40, 43, 46 and 54-59 remain pending in this application. Claims 12 and 29 are currently withdrawn as being directed to a non-elected embodiment. It is respectfully requested that these claims be reinstated upon allowance of respective independent claims from which they depend. No amendments have been made. However, a listing of the claims is provided below for convenience.

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**CERTIFICATE OF EFS-WEB TRANSMITTAL**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO-EFS-Web filing system.

December 29, 2010

Date of deposit

/Jocelyn L. Lee/

Name of Person depositing Paper